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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/084,712

02/25/2002

Lalitha Agnihotri

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04/26/2007

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

NGUYEN BA, HOANG VU A

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

04/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/084,712

Applicant(s)

AGNIHOTRI ET AL.

Examiner

Hoang-Vu A. Nguyen-Ba

Art Unit

2623

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 March 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-6, 8, 9, 11, 13-17, 20 and 21.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☒ Other: See Continuation Sheet.

Hoang-Vu Antony Nguyen-Ba

ANTONY NGUYEN-BA
PRIMARY EXAMINER

Hoang-Vu Antony Nguyen-Ba
Primary Examiner
Art Unit: 2623

Continuation of 13. Other:

1. Objection to Claims 9 and 20 withdrawn;
2. 112/2nd rejection of Claims 16, 1 and 20 withdrawn;
3. 103a rejection of Claims 1-5, 8-11, 13-16 as unpatentable over Ward III in view of Ahmad:
 - a. Claims 11 and 13-16 are included in the rejection as set forth at pages 11-12;
 - b. in response to Applicants' argument that the Office action appears to overlook the fact that Applicant's first argument focused on the recitation in claim 1 of "summaries" but instead, focuses on the definition of an episode, the examiner respectfully notes the following:
the Office action does mention at the bottom of p. 8 that, in an analogous art, Ahmad discloses news summaries of different episodes (e.g., Insurer's Eye Erin's Cost is the summary of the event or episode dated Thu, 3 Aug 95 and Erin: A Tropical Storm, another episode dated Wed, 2 Aug 95 of the same tropical Storm Erin); the claimed "Summaries of other episodes" is deemed properly addressed in the rejection and the finality of the action is considered proper;
4. Claims 2-5 and 8 are not deemed allowable (see above response and rejection of these claims in the previous Office action);
5. Claims 11 and 13-16 are not deemed allowable (see above response and the rejection of these claims in the previous Office action);
6. Claim 20 is not allowable (see above response and rejection of claim 20 in the previous Office action);
7. Claim 21 is not allowable (see above response and the rejection set forth in the previous Office action);
8. 103a rejection of Claims 6 and 17 as unpatentable over Ward III in view of Ahmad and further in view of Shoff: since the rejections of claims 1 and 21 are incorporated in claims 6 and 17, respectively and since the features specifically recited in Claim 6 and 17 are addressed in the previous Office action and that the rejection of Claims 6 and 17 is traversed by Applicants without rationale, the rejection of these claims are maintained;
9. Since Claim 9 recites the same feature of Claims 1 and 21, the same response as set forth above also applies to claim 9.



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